

Message Text

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PAGE 01 KHARTO 01498 241219Z

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ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 SY-04 SCCT-02 NEA-14 IO-14

CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00

PM-07 H-03 INR-10 L-03 NSC-07 PA-04 RSC-01 PRS-01

SP-03 SS-20 DRC-01 /138 W

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O 241144Z JUN 74

FM AMEMBASSY KHARTOUM

TO SECSTATE WASHDC IMMEDIATE 8401

INFO AMEMBASSY BRUSSELS IMMEDIATE

LIMITED OFFICIAL USE KHARTOUM 1498

DEPT PASS VOA

E.O. 11652: N/A

TAGS: PINS, SU

SUBJ: PRESS HANDLING VERDICT IN BSO CASE

REF: KHARTOUM 1495

1. IN ORDER AVOID ANY POSSIBLE EMBARRASSMENT TO GOS OR ADVERSE IMPACT ON PRESIDENT NIMEIRI (WHO WILL BE RESPONSIBLE CONFIRMING OR MODIFYING SENTENCES AFTER BRIEF UNPUBLICIZED REVIEW BY HIGH COURT) RECOMMEND DEPT COMMENTS TO PRESS RE BSO VERDICT BE FACTUAL AND LOW KEY. SOMETHING ALONG LINES PARA 2 BELOW WOULD MEET CASE HERE.

2. QUOTE. AS RESULT FULL AND DETAILED EXAMINATION BSO CASE BY SUDANESE MAGISTERIAL INQUIRY AND SUPERIOR COURT, EIGHT BSO DEFENDANTS WERE ON JUNE 24 CONVICTED OF MURDER OF OUR THEN AMBASSADOR AND HIS DEPUTY IN KHARTOUM IN MARCH 1973. CASE WAS CONDUCTED THROUGHOUT PURSUANT TO APPLICABLE SUDANESE JUDICIAL PROCESSES. THE LIFE SENTENCES IMPOSED ARE IN ACCORD WITH SUDANESE PENAL CODE IN SUCH CASES. THROUGHOUT THIS CASE
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PAGE 02 KHARTO 01498 241219Z

DEPT HAS REMAINED CONFIDENT THAT JUSTICE WOULD BE DONE. SINCE

THIS MATTER FALLS WITHIN PURVIEW JUDICIAL SYSTEM OF ANOTHER COUNTRY,
FURTHER COMMENT ON OUR PART WOULD BE CLEARLY INAPPROPRIATE.
END QUOTE.

3. SHOULD JOURNALISTS PRESS QUESTION AS TO WHY CAPITAL PUNISH-
MENT NOT IMPOSED, SPOKESMAN MIGHT RECALL OUR OWN LEGAL POSITION
RE DEATH PENALTY (E.G. SIRHAN SIRHAN) AND NOTE THAT ARTICLE 251
SUDANESE PENAL CODE SPECIFICALLY PRESCRIBES "DEATH OR LIFE
IMPRISONMENT" FOR THOSE CONVICTED OF MURDER.

4. VOA SHOULD OF COURSE FOLLOW DEPT GUIDANCE AND IN PARTICULAR
NOT REPEAT NOT GIVE UNDUE PROMINENCE TO OUTCOME.

5. SINCE WE UNDERSTAND SECRETARY MAY BE HOLDING PRESS CONFERENCE
JUNE 24, SUGGEST HE BE APPROPRIATELY BRIEFED IN EVENT A QUESTION
IS ASKED.

6. ADDITIONALLY, DEPT WILL NO DOUBT WISH ASSURE MRS. NOEL
AND MRS. MOORE IMMEDIATELY INFORMED OUTCOME, ALTHOUGH WE
ASSUME THEY WILL NOT, REPEAT NOT, WISH TO RESPOND TO ANY
PRESS QUERIES.

BREWER

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